IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1709 OF 2005

Thane Municipal Corporation ..Appellants

versus

M/s. Unity Auto Industries ..Respondents

Mr. R. S. Apte for the Appellants.

Mr. D. N. Hungand for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 12TH SEPTEMBER,2005

ORAL ORDER :

1. Advocate for the Appellants and the Respondents present. Mr. Apte produces a copy of the order in First Appeal No. 288 of 2004 passed by Justice Mohite on 10.8.2005.

2. Advocate for the Respondent and the Appellants contend that this appeal is required to be disposed off in the same manner. Therefore, the order :

ORDER

. The impugned order is set aside. Suit is remanded to the trial court for fresh decision according to the law. The suit should be decided expeditiously and in any case on or before December 2005. R & P be sent back immediately to the trial court. Matter to be placed on board of that court on 16.9.2005.

. Appeal disposed of along with the Civil Application.

. Certified copy expedited.

12.9.2005 (D.G. DESHPANDE, J.)